

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON THOMAS MARCOUX,

Defendant.

Case No. 1:21-cr-20082

Honorable Thomas L. Ludington
Magistrate Judge Patricia T. Morris

**ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION, ACCEPTING DEFENDANT'S PLEA OF GUILTY, AND
TAKING THE RULE 11 PLEA AGREEMENT UNDER ADVISEMENT**

On February 4, 2021, Defendant Jason Thomas Marcoux was indicted by a grand jury on count one of receipt of child pornography and count two of possessing and assessing with intent to view child pornography. ECF No. 1. On June 28, 2021, United States Magistrate Judge Patricia T. Morris conducted a plea hearing pursuant to Defendant Marcoux's consent. Magistrate Judge Morris issued her Report on June 30, 2021, recommending that this Court accept Defendant's plea of guilty. ECF No. 22.

Although the Magistrate Judge's Report explicitly stated that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the Report, neither Plaintiff nor Defendant filed any objections. The failure to file objections waives any right to appeal the Magistrate Judge's findings that Defendant was competent to enter a plea, and that the plea was entered knowingly, voluntarily, without coercion, and with a basis in fact. *See* Fed. R. Crim. P. 11(b); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the Magistrate Judge's Report and Recommendation, ECF No. 22, is **ADOPTED**.

It is further **ORDERED** that Defendant's plea of guilty is **ACCEPTED**, and the Rule 11 Plea Agreement, ECF No. 19, is taken **UNDER ADVISEMENT**.

Dated: July 20, 2021

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge